

CIVIL MINUTES
UNITED STATES DISTRICT COURT OF ARIZONA – PHOENIX

United States District Judge David G. Campbell

Date: April 13, 2018

AMENDED IN RE: Bard IVC Filters Products
Liability Litigation

Case Number: MD-15-02641-PHX-DGC

**Mark O'Connor, Paul Stoller,
Shannon Clark and Lincoln
Combs- for plaintiff Doris Jones**

APPEARANCES: **James Rogers, Matthew Lerner,
James Condo, Elizabeth Helm and
Amanda Sheridan – for defendant**

**Court Reporter – Patricia Lyons
Courtroom Deputy – Traci
Abraham**

PROCEEDINGS ☒ **Open Court** ☐ **Chambers** ☐ **Other:**

Hearing held re: Doris Jones Trial. Parties trial briefs (Docs. 10677,10704) discussed.

Exclusion of evidence in regards to the Recovery Filter complications and development discussed.

FDA warning letter and FDA jury instruction discussed. The approach to the FDA warning letter in the Jones trial will be the same as in the Booker trial -- the issue must be raised with the Court before brought in front of the jury. Court will consider the FDA jury instruction at the time jury instructions are being settled.

Court will provide the parties a proposed set of final jury instructions the first week of trial and set a time to discuss.

Redactions or sealing of exhibits discussed. 21 days after the last trial transcript is filed on the docket, defendant to file a motion to seal exhibits. Motion will be briefed under the rules. (Following the hearing, the Court was advised that the last transcript has been filed. So the 21-day period starts from the filing of this minute entry.)

Reminder on existing deadlines: Jury questionnaires for pick up by counsel 4/20/2018. Court order jurors excused for hardship 4/24/2018. Remaining jury questionnaires to be discussed on 5/4/2018 at the final pretrial conference. Final pretrial order due 4/27/2018. Motions in limine 4/18/2018. Responses 4/25/2018. Deposition designations 4/20/2018.

Parties to meet and confer on stipulations to trial exhibits. Court will provide word versions of the preliminary and final jury instructions to counsel. Subpoenas issued to current and former Bard employees to be narrowed down to who will be called and testify at trial.

IN RE: Bard IVC Filters Products Liability Litigation

October 5, 2017

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The Court took under advisement arguments on the admissibility of Recovery filter complications, testing, and development, and Recovery filter cephalad migrations resulting in death.